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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY
RM-8658

In the Matter of
Section 68.4(a) of the
Commission's Rules Hearing Aid-
Compatible Telephones

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REPLY COMMENTS OF NORTEL

Northern Telecom Inc. ("Nortel") hereby replies to the comments on the petition for rulemaking submitted by HEAR-IT NOW requesting that the Commission initiate a rulemaking to modify Section 68.4(a) of the Rules to specify that broadband PCS devices be hearing aid compatible.^{1/} As explained in its initial comments, Nortel is already heavily involved in studying the issue of compatibility of hearing aids and wireless systems, and in developing solutions to ensure that all users will be able to benefit fully from the new wireless services.

As a result of its ongoing activities in this area, as well as the efforts of others underway detailed in the initial comments, Nortel agrees with the vast majority of commenting parties that the proposed rulemaking is premature (and even somewhat alarmist).^{2/} Nortel thus joins many other commenting

^{1/} RM No. 8658, Report No. 2079, released June 15, 1995.

^{2/} E.g., PCIA at p. 2; BellSouth at pp. 10-12; CTIA at pp. 11-16; Pacific Telesis at p. 2; Siemens Stromberg-Carlson at p. 1; American Personal Communications at pp. 9-11; Southwestern Bell Mobile Systems at pp. 2-6; USTA at p. 2; TIA at p. 2; GSM MoU Association at pp. 18-21.

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parties in urging the Commission to defer any action on the HEAR-IT NOW petition until the scope of any potential problems are well understood. The work at the University of Oklahoma being undertaken at the behest of CTIA and the activities of other manufacturers should provide the necessary information to properly address any legitimate concerns.

Nortel does not believe there is any basis for rash action. Digital wireless systems have been widely deployed worldwide, and no problems of the magnitude predicted by HEAR-IT NOW have arisen.^{3/} As those system operators indicated, problems with interference to hearing aid users have been de minimis or non-existent.^{4/} Likewise, Nortel is unaware of any widespread problems caused by the deployment of digital wireless systems within the United States, despite the fact that digital wireless services are already being offered within this country.

Nortel also disagrees with unsupported claims that hearing aid wearers will need to expend large sums of money to address compatibility with wireless services.^{5/} Nortel is unaware of any situations where a hearing aid user has had to replace his or her hearing aid because of problems caused by any of the many wireless digital mobile systems in operation around the world.

3/ See e.g., the letters from digital wireless systems operators attached to the Comments of GSM MoU.

4/ Id.

5/ E.g., Liss Communications Research at p. 3; Hearing Industries Association at pp. 3-4.

Indeed, Nortel has conducted numerous evaluations of PCS systems and their potential impact on hearing aid users, using actual, operational systems. Nortel's studies have demonstrated that hearing aid wearers will be able to utilize PCS systems (including GSM-PCS systems) for communications purposes. In contrast, no evidence has appeared in the record, using operational systems, to show that GSM-PCS systems cannot be used by hearing aid wearers.

Nortel also observes that absent from the record is a demonstration that the proposed rule -- removing the compatibility exemption for one class of wireless services -- will increase access by the hearing impaired to the communications network. Indeed, as Ericsson discusses, Part 68 merely requires that for compatibility, a telephone must be capable of transmitting a magnetic signal in addition to an acoustic signal; rather than assuring access, such a requirement may even lead to greater levels of interference to the hearing aid user from other magnetic sources of interference.^{6/}

Nortel believes that hearing aid users would benefit in greater measure from industry developed solutions, rather than the rule mandating compatibility as proposed by HEAR-IT NOW. Telecommunications equipment manufacturers, working together with hearing aid manufacturers, will be able to develop cost-effective solutions to ensure that hearing aid users will have access to, and will not suffer interference from, wireless services.

^{6/} Ericsson at pp. 2-3.

Nortel has been meeting with the hearing aid manufacturers and representatives of the hearing impaired in a constructive effort to resolve any potential problems. Nortel believes that such joint industry activities will lead to improvements with respect to both telecommunications equipment and hearing aids. In this manner, both sets of manufacturers will benefit, but more importantly, the benefits will flow to the hearing impaired. Nortel will continue these efforts, but believes that the initiation of a rulemaking at this time will not accelerate the process of developing solutions. Indeed, through the imposition of formalities and the use of a potentially adversarial process, the initiation of a formal rulemaking could delay the development of cost-effective solutions.

Finally, Nortel agrees with the comments that indicate that the issues extend beyond a single wireless service (PCS) and beyond a single technology (GSM). As the comments point out, all digital technologies raise potential interference concerns.^{7/} Indeed, potential interference sources are not limited to wireless handsets, but can be caused by computer monitors, electric power systems and fluorescent lights. The industry efforts already underway are examining this matter expansively, and are not limited in scope like the HEAR-IT NOW petition.

7/ E.g., PCIA at p. 4; American Personal Communications at p. 8. In addition, while Nortel believes that lab results are one indication of potential problems, the true scope of possible interference concerns will not be known until measurements and tests have been undertaken using commercial operating systems.

In sum, Nortel believes that the record demonstrates that the industry is already addressing the concerns of the hearing impaired, and that the public interest (and the interests of the hearing impaired) would not be advanced by initiating a rulemaking at this time as proposed by HEAR-IT NOW. Nortel thus urges the Commission to deny the HEAR-IT NOW petition for rulemaking.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Stephen L. Goodman", is written over a horizontal line.

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Dated: August 1, 1995

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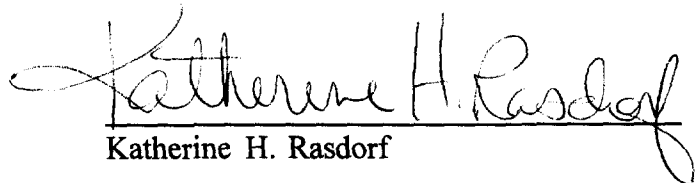
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